

The Planning and Zoning Commission (P&Z) of the City of Titusville, Florida met in regular session in City Hall Council Chamber located at 555 South Washington Avenue on Wednesday May 20, 2026 at 6:00 p.m.

XXX

Vice Chairman John Scully called the meeting to order at 6:00 p.m. Present were, Secretary Erron Fayson, Member Janay Mack-Daniel, Member Theodore Garrod, Member L.V. “Woody” Rice, Member Larry Graham, Alternate Member James Troutman and Alternate Member AnnMarie Seidler. Chairman Aton was absent. Also, in attendance were Principal Planner Eddy Galindo, Senior Planner Christie Anderson, Assistant City Attorney David Melito and Recording Secretary Laurie Dargie.

XXX

Member Garrod made a motion to approve the minutes of the May 6, 2026 meeting as presented. Member Fayson seconded. There was a unanimous voice vote in favor.

XXX

Quasi-Judicial Confirmation Procedures

XXX

Petitions and Requests from the Public Present

Stan Johnston of Titusville, Florida addressed the Commission regarding a 56-townhome project located at the northeast corner of Singleton Avenue and State Road 405 (South Street), which was scheduled to come before the Commission on June 3, 2026. Mr. Johnston expressed concern that the city has not been properly applying its Stormwater Master Plan.

XXX

Old Business

None

XXX

New Business

Conditional Use Permit CUP#6-2025 – River Palms II

Principal Planner Eddy Galindo gave an overview of this item.

Principal Planner Eddy Galindo noted two corrections to the staff report. First, on page 15, the staff comment regarding arterial road landscape yard setbacks incorrectly identified the applicable standard as 30 feet; the correct applicable standard for this segment of US 1 is 20 feet, which the concept plan

does meet. Second, on page 17, the staff report stated the shoreline length was approximately 400 linear feet; the correct length, as reflected on the concept plan, is approximately 843 feet and 8 inches.

Attorney Kim Rezanka appeared on behalf of the applicant, River Palms Riverfront Development II LLC. Ms. Rezanke provided a twenty-four (24) page handout to the Planning & Zoning Commission. She began by clarifying that this was a concept review, not a site plan review, and that many of the staff's comments addressed site plan-level issues. She addressed the prior development agreement (DA) associated with the River Palms Phase 1 condominium project, asserting that the DA had expired by its own terms and was no longer binding on this property.

Attorney Kim Rezanka addressed the City's Future Land Use (FLU) Policy 1.17.3 which limits use of submerged lands within the Indian River Lagoon to "water related development" such as marinas, docks, and boat ramps. Ms. Rezanka stated that the submerged lands on the subject property had been deeded to private ownership by the State of Florida and were therefore not sovereign submerged lands subject to the same restrictions.

Attorney Kim Rezanka acknowledged that a traffic study had been submitted and reviewed, that hours of operation would be limited to 8:00 AM to 6:00 PM for common areas, and that signage and lighting would be addressed at the site plan stage. She asked the Commission to approve the Condition Use Permit.

Attorney Kim Rezanka introduced Lisa Toland, President of Toland Environmental Consulting, of Melbourne, Florida and requested that she be considered as an expert witness by the Commission.

Member Garrod made a motion to qualify Lisa Toland as an expert witness. Member Fayson seconded. There was a unanimous voice vote in favor.

Ms. Toland provided a sixteen (16) page handout and then stated the existing conditions of the subject site based on her in person visit.

The Planning and Zoning Commission members had discussion with Ms. Toland relating to the recovery of the Indian River Lagoon, the history of the shoreline area, the public interest and benefit of the property, the definition of water related activities per Florida Administrative Code 18.21, living shoreline verses a hardened shoreline, baffle boxes, and stormwater impacts to the Indian River Lagoon.

Ian Askew, representing Tricon Development, Robert Kodsi. Mr. Askew spoke about the historical condition of the shoreline. He stated that both River Palms Phase I and Phase II properties had existing shorelines when the properties were purchased, and that both were severely damaged during hurricanes around 2010. Member Garrod asked for factual documentation that revetment existed along the shoreline of this property.

Attorney Kim Rezanka introduced David Menzel, P.E., of MAI Design Build, and asked that he be considered as an expert witness.

Member Fayson made a motion to qualify Mr. Menzel as an expert witness. Member Seidler seconded. There was a unanimous voice vote in favor.

Planning and Zoning Commission
Regular Meeting
May 20, 2026

Ms. Rezanka provided a fourteen (14) page Traffic Study Analysis to the Planning and Zoning Commission members. Mr. Menzel provided a four (4) page conceptual site plan. Mr. Menzel described changes to the concept plan since the original submittal. At FDOT's request, the dual-access configuration was replaced with a single 24-foot combined entrance/exit. A separate emergency fire truck exit was incorporated on the north side of the property due to fire apparatus travel distance requirements.

Mr. Menzel addressed the breezeway requirements, the potable water and wastewater, the building design, site driveway designs, parking spaces and compensatory storage.

Member Rice questioned the feasibility of the compensatory storage in detail, asking about seasonal high-water elevations and the required minimum separation between the bottom of exfiltration trenches and the seasonal high-water table. Mr. Menzel indicated that he had geotechnical data supporting his calculations, though this had not been submitted to staff.

Member Fayson had questions relating to the submerged land being public or privately owned. Ms. Rezanka stated they were privately owned on this property and that the boundary survey and deed were proof of ownership.

Angelo Lagang of Titusville, Florida came to speak against this item. Mr. Lagang had concerns about the adequacy of on-site stormwater retention and spoke about the limitations of dry retention pond systems. Mr. Lagang also had concerns with traffic near Titusville High School.

Kay St. Onge of Titusville, Florida came to speak against this item. Ms. St. Onge stated the importance of protecting the Indian River Lagoon as a National Estuary. Ms. St. Onge stated that this request is inconsistent with the city's Comprehensive Plan. Ms. St. Onge asked that the Planning and Zoning Commission recommend denial.

Thomas Perez of Titusville, Florida came to speak against this item. Mr. Perez stated that the proposed fill of submerged lands to create new buildable land for commercial development was plainly inconsistent with FLU Policy 1.17.3. Mr. Perez asked the Planning and Zoning Commission to recommend denial.

Dwight Severs of Titusville, Florida came to speak against this item. Mr. Severs provided a folder with numerous handouts to the Planning and Zoning Commission. Mr. Severs stated what handouts were provided in the folder. Mr. Severs provided background on the history of the development agreement. Mr. Severs stated that the applicant's current Conditional Use Permit request represented an attempt to develop land that had already been used to justify density on the Phase 1 project and urged the Planning and Zoning Commission to either table the item until the applicant brought its affairs into compliance or recommend denial.

Member Garrod made motion to extend Mr. Severs' speaking time by three minutes. Member Rice seconded. There was a unanimous voice vote in favor.

The Planning and Zoning Commission agreed to extend Mr. Severs' speaking time by an additional five minutes.

Planning and Zoning Commission
Regular Meeting
May 20, 2026

The Planning and Zoning Commission members had some discussion with Mr. Severs relating to the development of Phase 1, notification to the residents regarding conformity of the development and the Bert Harris Settlement.

Laurie Severs of Titusville, Florida came to speak against this item. Ms. Severs stated her concerns with the health of the Indian River Lagoon and she expressed skepticism that the proposed stormwater retention system would be adequate during major storm events, citing the 500-year storm event of the prior October.

Jay Peters of Titusville, Florida came to speak against this item. Mr. Peters urged denial of the CUP and suggested the applicant donate the Phase 2 land to the condominium association.

Toni Shifalo of Titusville, Florida came to speak against this item. Ms. Shifalo asked how an office building could qualify as "water related" use under any reasonable interpretation. She also had concerns about sea level rise risk.

Laura Ward of Titusville, Florida came to speak against this item. Ms. Ward stated that filling the river was a sufficient enough reason to deny the request. Ms. Ward stated the importance of keeping a natural shoreline.

Laurilee Thompson of Mims, Florida came to speak against this item. Ms. Thompson provided a copy of the Saint Johns River Water Management District Geospatial Open Data map from 2025 to the Planning and Zoning Commission. Ms. Thompson stated that she has seen seagrass within a half mile of this site for herself. Ms. Thompson described the adverse effect of increased impervious surface on freshwater runoff to the lagoon. Ms. Thompson asked the Planning and Zoning Commission to recommend denial.

Michael Myjak of Titusville, Florida came to speak against this item. Mr. Myjak said that hardened shorelines should not be supported and should be phased out. Mr. Myjak asked that the Planning and Zoning Commission recommend denial.

Earl Johnson of Titusville, Florida came to speak against this item. Mr. Johnson stated that this was inconsistent with the Comprehensive Plan and should be denied.

Stan Johnston of Titusville, Florida came to speak against this item. He urged the Commission to require staff to adopt and apply a clear definition of "breezeway" and expressed concern that the existing River Palms Phase 1 project may itself violate applicable breezeway requirements.

Christopher Childs of Titusville, Florida came to speak. Mr. Childs said he agrees with all of the prior speakers and also stated that the Conditional Use Permit application fails to meet the FLU Policy 1.17.3.

Attorney Rezanka gave a rebuttal.

Member Fayson had more discussion with Ms. Rezanka relating to the submerged land being publicly or privately owned. Assistant City Attorney Melito confirmed that the submerged lands are indeed

private property, that the State's Internal Improvement Trust Fund has constitutional authority to alienate sovereign submerged lands, and that this alienation had occurred in this case.

XXX

Member Graham made a motion to recommend tabling the Conditional Use Permit CUP#6-2025 – River Palms II to the June 17, 2026 Planning and Zoning Commission to allow time for the Commission members to review all of the information provided at tonight’s meeting.

This motion failed due to the lack of a second.

XXX

Member Garrod made a motion to recommend denial of Conditional Use Permit CUP#6-2025 – River Palms II. Member Fayson seconded.

Member Rice stated the reasons for the denial as follows: 1. Shoreline Mixed Use Strategy 1.12.3 .3 support moderate scale mixed use development on US Highway 1 that benefits from proximity to the waterfront is not in compliance. 2. Natural Resources Policy 1.17.3 Submerged Lands within the Indian River Lagoon shall only be utilized for water related development and specifically states marinas, docks, boats, and ramps which signify the intent of the code 3. Questions that it meets the Coastal Management Element based on the evidence provided. 4. As result of the applicants’ actions, the land to the north becomes non-conforming, which is unacceptable.

Member Garrod accepted Member Rice’s reasons for denial and asked that they be included in the motion. Member Fayson seconded again.

Roll call was as follows:

Member Mack-Daniel	Yes
Member Garrod	Yes
Member Rice	Yes
Member Graham	Yes
Secretary Fayson	Yes
Vice Chairman Scully	Yes
Member Seidler	Yes

Motion for **denial** passed.

XXX

Member Garrod asked staff whether they would be willing to meet with affected River Palms Phase 1 condominium owners to explain the potential implications of the nonconformity discussion that arose during the hearing. Mr. Galindo confirmed their willingness to do so.

XXX

Petitions & Requests from the Public Present

None

XXX

Reports

Principle Planner Eddy Galindo provided a brief report in follow-up to a prior meeting's discussion regarding National Wetlands Inventory (NWI) maps and their accuracy in depicting current site conditions.

XXX

Adjournment 10:15pm